

WORCESTER TOWNSHIP
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS
 MEETING
 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 MONDAY, NOVEMBER 1, 2010 @ 8:00 A.M.

CALL TO ORDER by Arthur Bustard at 8:00 A.M

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

INFORMATIONAL ITEMS

1. The Proposed Budget for Calendar Year 2011 will be presented for review and authorization to advertise at the November 17, 2010 Board of Supervisors' Meeting.
2. Any interested applicants to serve on the Zoning Hearing Board or Planning Commission should send their resumes to the Township for consideration.
3. Stephen Quigley inquired if the Roadmaster will be making a presentation.

1. Manager's Report:

a. Request for Consideration of Park Memorial Bench and Tree Program

This policy allows residents to honor deceased family members and beautify all the Township's parks. The Township will determine types of trees and the benches will be heavy duty. There will be guidelines for costs and number of letters for plaques.

Stephen Quigley expressed concern about donor's rights to the benches and trees. He suggested that ownership be clarified.

Susan Caughlan commented that the Park Director, Julie Lanzillo, has done a lot of research and reviewed several surrounding townships' programs in drafting this policy.

Rick DeLello, Stoney Creek Road, commented on the lack of costs in the policy and the Board responded that that is still to be addressed.

A motion by Stephen Quigley, and seconded by Susan Caughlan and approved by all to approve Park Memorial Bench and Tree Program.

b. Resolution 2010-24 – Earned Income Tax Collector

Act 32 of 2008 requires that County wide tax collectors consolidate as of January, 2012. Montgomery County has the option to exercise the contract early with a beginning date of January, 2011.

A motion by Susan Caughlan and seconded by Stephen Quigley, and approved by all to pass Resolution 2010-24 – Earned Income Tax Collector

c. Zoning Hearing Board Report (Current Activity Only)

The last meeting was October 26, 2010

Application 10-10 is still active with the record closed. The decision from the ZHB is anticipated November 23, 2010.

Conclusions/ Decisions of applications:

**#10-12, T-MOBILE NORTHEAST, LLC 1732 WHITEHALL RD. ZONED – “AGR”
VARIANCES FROM THE FOLLOWING SECTIONS OF THE CODE TO PERMIT THE INSTALLATION OF WIRELESS ANTENNAS TO AN EXISTING 92’ HIGH PECO TOWER AS A WIRELESS COMMUNICATION USE:**

VARIANCE FROM SECTION 150-11 TO PERMIT THE PROPOSED CELLULAR TELEPHONE USE.

INTERPRETATION AND/OR VARIANCE FROM SECTIONS 150-15 AND 150-187 TO PERMIT CELLULAR TELEPHONE ANTENNAS BE LOCATED ON THE EXISTING PECO TOWER SITE AT A HEIGHT OF 87’.

VARIANCE FROM SECTION 150-13 TO PERMIT A 10’ x 20’ CONCRETE PAD WITH EQUIPMENT CABINETS WITHIN THE SIDE YARD SETBACK.

GRANTED 10-26-2010

#10-13, 2500 Creekside Drive, Zoned R175, Corner Lot Property.

VARIANCE FROM SECTIONS 150-182 (A)(B)(G)(H) TO PERMIT CONSTRUCTION OF A 5’ FENCE LOCATED IN THE FRONT, SIDE, AND REAR YARD SETBACKS WITH 4 OPERABLE GATES. (DUE TO THE PROPERTY BEING LOCATED ON A CORNER LOT THERE ARE 2 FRONT YARDS: SECTION 150-196.)

GRANTED 10-26-2010

Continued applications:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES,

TRASH & RECYCLABLES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS. CONTINUANCE REQUESTED BY APPLICANT TO BE HEARD AT THE SEPTEMBER 28, 2010 MEETING. RECORD CLOSED. ZONING HEARING BOARD HAS TAKEN RENDERING A DECISION UNDER ADVISEMENT. THE DECISION IS TENTATIVELY SCHEDULED FOR ANNOUNCEMENT AT THE NOVEMBER 23rd, 2010 ZONING HEARING BOARD MEETING

NEW applications to be heard on November 23, 2010:

#10-14 BETHEL HILL UNITED METHODIST CHURCH 2000 BETHEL RD ZONED - "R-175" VARIANCE FROM SECTIONS 150-147(D) (E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

Susan Caughlan requested the application be submitted to the Planning Commission for review and Mr. Burman confirmed that all applications are forwarded to the Planning Commission.

Maeve Vogan, Dell Road, requested conformation if the Bethel Hill United Methodist Church application will be sent to the Planning Commission for review.

d. Subdivision & Land Development Report – Current Activity Only

A Master Plan has been submitted by Meadowood Corporation for determining the EDU's requirement. CKS Engineers will review the plan.

The Preserve subdivision plan will go before the Board of Supervisors for preliminary approval at the November 17, 2010 meeting.

The Rhoads Subdivision was to be reviewed at the October 28th, 2010 Planning Commission meeting, however the Engineer for the applicant was not available so it will be heard on November 11, 2010.

2. Engineer's Report

a. Resolution 2010-22 – Adoption of Lower Perkiomen Watershed Conservation Plan

Several years ago Lower Perkiomen Watershed prepared a conservation plan. Adoption of this plan by all municipalities will help secure future funding for all entities.

Susan Caughlan commented that the advantage to Worcester Township is to receive additional funding for projects that impact the Skippack Creek.

A motion by Susan Caughlan, and seconded by Stephen Quigley, and approved by all to approve Resolution 2010-22 – Adoption of Lower Perkiomen Watershed Conservation Plan

3. Solicitor's Report

a. Executive Session Report

There were no executive session meetings.

4. Other Business

David Burman, Township Manager, reported that the noise ordinance is at the solicitor's office for final review and should be ready to present to the Board for a motion to advertise at the meeting on November 17, 2010.

5. APPROVAL OF THE MINUTES OF AUGUST 2, 2010

These minutes were tabled at the October meeting to verify wording of Stephen Quigley.

James Mollick, Country View Lane, commented on who prepares the minutes and inquired about the subject of the executive session in July.

A motion by Stephen Quigley, and seconded by Susan Caughlan, and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting August 2, 2010.

(Copies are available for review.)

6. APPROVAL OF THE MINUTES OF OCTOBER 4, 2010

James Mollick commented on the public comments being more specific.

James Garrity remarked the minutes require only the subject of a public comment, not specifics.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to dispense with the reading of, and approve as written, the minutes of the meeting October 4, 2010.

(Copies are available for review.)

PUBLIC COMMENTS

Rick DeLello commented on the decision to send the solicitor to the ZHB.

Oliver Smith, Fisher Road, commented on expediting the noise ordinance.

James Garrity responded that since PECO is a public utility, they may try to argue that the ordinance is not enforceable against them.

Susan Caughlan commented that PECO offered compliance.

James Mollick commented on property file reviews, the cost of sending the solicitor to the Zoning Hearing Board, the Township staff meeting with Lower Providence's staff, and a driveway.

Susan Caughlan commented on the meeting between Lower Providence's and Worcester's staff and complimented the Manager for the great job.

ADJOURNMENT

There being no further business to come before this Board, Chairman Arthur Bustard adjourned the regularly scheduled Board of Supervisors Meeting at 8:41A.M.

Respectfully submitted:


Eunice C Kriebel
Eunice C Kriebel, Recording Secretary

WORCESTER TOWNSHIP
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 WORCESTER TOWNSHIP COMMUNITY HALL
 FAIRVIEW VILLAGE, PA
 WEDNESDAY, NOVEMBER 17, 2010 @ 7:30 P.M.

CALL TO ORDER by Arthur Bustard at 7:30 P.M.

PLEDGE OF ALLEGIANCE

ATTENDANCE

PRESENT:

ARTHUR C. BUSTARD	<input checked="" type="checkbox"/>
SUSAN G. CAUGHLAN	<input checked="" type="checkbox"/>
STEPHEN C. QUIGLEY	<input checked="" type="checkbox"/>

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INFORMATIONAL ITEMS:

Penn DOT is closing Stump Hall Road in Skippack Township through March 2011 for road repairs

There is an opening on the Planning Commission and two Zoning Hearing Board appointments that expire at year end. Any interested parties should submit a resume and letter of intent to the township office.

1. TREASURER'S REPORTS

The Treasurer's reports for October, net change on cash basis:

October 2010 Report:

General Fund	\$ 259,732.81
State	(\$ 30,202.35)
Capital Reserve	\$ 283,756.79

A motion by Susan Caughlan, seconded by Stephen Quigley and passed by all to accept the Treasurer's Reports for October, 2010 net change on cash basis.

2. PAYMENT OF THE BILLS OF THE TOWNSHIP

A motion by Susan Caughlan seconded by Stephen Quigley and passed by all to pay the bills of the Township in the amount of \$185,169.12.

3. MANAGER'S REPORT

a. Authorization to Advertise Proposed Budget for 2011

David Burman, Township Manager, reported on the proposed 2011 budget, as prepared by township staff, with a focus on the General Fund. Copies of the proposed budget were available for review.

Mr. Burman reported on the capital improvement projects for 2011, including truck safety modifications, bridge replacement, emergency generators for the administration building and garage, administration building security enhancements, and the pedestrian bridge in Mt Kirk Park.

He requested authorization from the Board for the engineer to perform a sewer rate study. He indicated that a recent request for proposal was sent out to interested parties for operations of the Township's sanitary sewer systems. While final recommendations have not been made, the initial indication is that there will be significant cost savings, and these have been incorporated into the proposed 2011 budget.

He also reported that the work of the township administration including public works is handled by only 11 full-time employees and three part-time seasonal employees, commending the staff on their accomplishments.

William Kazimer, Germantown Pike, asked why the legal fees were reduced for 2011.

James Mollick, Country View, agreed with Mr. Burman's compliments to the staff, and commented on the solar panel budget item from the 2010 budget.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to authorize advertisement of the proposed budget for 2011. Copies of the budget may be reviewed on the township web site, and at the administration office.

b. Authorization to Advertise Noise Ordinance

Mr. Burman informed the Board that the ordinance is ready for advertisement. It will allow for the training of a noise officer, maximum permissible sound levels, specific prohibitions and exceptions and provide for remedies and enforcement.

William Kazimer asked how many noise complaints are received, who enforces, and what will be the cost.

James Mollick commented on the ordinance, sympathized with living next to noisy neighbors and stated his opinion that PECO would not comply.

David Plager, Fieldcrest Way, commented on neighbors with an ATV, lack of police enforcement and the need for an ordinance.

Nicholas Imperial, Fisher Road, commented on ATVs, the ordinance clarifying noise level and his opinion that PECO will not comply.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to authorize advertisement of Noise Ordinance.

a(1). Engineering Study for Sewer Rate Review

Mr. Burman requested the Board approve an engineering study to review sewer rates and projected capital improvement costs, noting that there has never been a sewer rate increase.

Susan Caughlan thanked David Burman for the time and effort that went into producing the RFP for the sanitary sewer systems.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the engineer to perform a sewer rate study and program to review sewer plant capital improvements.

c. Authorization to Expedite Purchase of Administrative Vehicle using COSTARS contract.

Mr. Burman reported that the current vehicle used by township administration has 105,000 miles, and requires \$1,200 in repairs to pass inspection due this month. The 2011 budget would have called for the purchase of a new vehicle and he is requesting the Board consider the purchase now. A Ford Escape four-wheel drive can be obtained for \$21,833 through the Co-Stars program.

Stephen Quigley asked about the need for a vehicle with four-wheel drive. Mr. Burman said it was for the safety of township staff in off-road and inclement weather situations.

A motion by Susan Caughlan and seconded by Stephen Quigley and approved by all to authorize the purchase of a new administrative vehicle using the COSTARS contract.

d. Periodic Report on Fire Department Activity

Mr. Burman summarized a written report submitted by the Worcester Volunteer Fire Department.

In the third quarter of 2010, they dispatched 62 calls with 1,293 personnel calls. They performed 9 drills, with 23 fire police calls. There was one structure fire with damage estimated at \$75,600.

Mr. Burman reported that the Fire Department is currently involved in their annual fund drive and appreciates the community support to continue their service.

The annual craft fair will be November 20, 2010.

Arthur Bustard commented on the department's services and the dedication of the volunteers to the community.

e. Periodic Report on Pennsylvania State Police Department Activity

Lt. Buckley of the Skippack Barracks was present to address the Board.

He summarized the October report to the township, including one attempted homicide, among 179 calls to the State Police. He cautioned residents to lock their car doors, as most auto-related crime in the area is committed by local youths looking for an easy target.

He reviewed traffic accidents, and commented on the noise complaints noting that there is an ordinance covering unreasonable noise.

Stephen Quigley asked if they received many noise complaints, and Lt. Buckley reported 80 to date in Worcester this year.

Rick DeLello, Stoney Creek Road, asked if there were any staffing issues coming up in the next budget. Lt. Buckley responded that there is a minimum staffing requirement that is maintained and that more staff is always welcome but he feels the current levels are adequate.

f. Update on Morris Road Bridge Replacement

Mr. Burman reported that the Pennsylvania Turnpike Commission has indicated they are on schedule for opening in December. There will be some additional work in the spring.

g. Zoning Hearing Board Report (current activity only)

The last meeting was October 26, 2010. The next meeting is November 23, 2010 at 6:30pm.

2 CONTINUED APPLICATIONS:

#10-10, North Grange LLC, 3481 Germantown Pike. VARIANCE TO PERMIT A NON-RESIDENTIAL USE OF THE PROPERTY REGARDING THE CONSTRUCTION, OPERATION AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING AND CURB & FENCING.

VARIANCE TO PERMIT THE CONSTRUCTION, OPERATION, AND MAINTANENCE OF IMPROVEMENTS INCLUDING STORMWATER MANAGEMENT FACILITY & APPURTENANCES, TRASH & RECYCLABES, PAVED INGRESS, EGRESS AND REGRESS AREA, MATERIALS STORAGE, MATERIAL LOADING AND UNLOADING, AND CURB & FENCING WITHIN THE FRONT & SIDE YARD SETBACKS.

VARIANCE TO PERMIT THE PRIVACY/ SECURITY FENCE WITHIN THE FRONT YARD SETBACK.

VARIANCE TO PERMIT THE ENTIRE BASIN WITHIN YARD AREA.

VARIANCE TO ALLOW APPLICANT TWO YEARS TO IMPLEMENT IMPROVEMENTS.

The record is closed. The Zoning Hearing Board has taken the decision under advisement. The decision is tentatively scheduled for announcement at the November 23rd meeting.

NEW APPLICATIONS TO BE HEARD NOVEMBER 23, 2010

#10-14 BETHEL HILL UNITED METHODIST CHURCH

2000 BETHEL RD. ZONED - "R-175"

VARIANCE FROM SECTIONS 150-147(D)(E) & 150-148(D) TO PERMIT THE REPLACEMENT AND EXPANSION OF THE EXISTING SIGN WHICH IS NON-CONFORMING

Arthur Bustard said he was not clear about the applicant's desire, based on the materials submitted. There was a conflict between the drawing and the written description. Mr. Bustard noted that internal illumination is not allowed.

Susan Caughlan commented that the application was not clear on whether the applicant wants to expand one or two signs and suggested opposing the application unless the applicant agrees to continue the hearing until clarification is submitted.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to oppose the application unless a continuance is requested to get more clarification.

NEW APPLICATION TO BE HEARD ON DECEMBER 21, 2010:

#10-15 3206 STUMP HALL RD

ZONED - "R-175"

VARIANCE FROM SECTION 150-37(C)(1) TO PERMIT AN ADDITION TO BE BUILT PROJECTING 19'6" INTO THE SIDE YARD SETBACK. SETBACK REQUIREMENT FOR THE SIDE YARD IS 35'.

h. Preliminary Approval Consideration – Preserve at Worcester 39-Lot Subdivision

Mr. Sal Paone, developer and Timothy Woodrow, engineer for the developer, were present. Mr. Paone reported this project has been 6 years in the making, having worked closely with Natural Lands Trust on the plan as this is the first Worcester development under the Conservation Subdivision ordinance. They are requesting multiple waivers of the current subdivision and land development ordinances because development conditions are considerably different under conservation subdivision.

Stephen Quigley expressed concern with road widths and asked about signs at the entrance.

Mr. Paone replied that where houses are located, the streets are wider, and turning radius tests were done with the largest fire truck.

Susan Caughlan commented on the pedestrian crossing bridges being wide enough, asked whether there were sidewalks on both sides of streets, and commented that North Wales Road should not be widened except for acceleration and deceleration

lanes. Ms. Caughlan inquired if speed signs would be installed and discussed the requested waiver of the setback from primary conservation areas. She also asked Mr. Paone to consider monuments for boundaries around the out-parcel on Whitehall Road, and to provide trail access to the Whitehall Road open space along the PECO corridor if the township receives permission from PECO. She also asked Mr. Paone to insure that the lots restricted by stormwater easements or natural conditions would have those restrictions recorded to provide notice to future buyers.

Arthur Bustard asked Mr. Paone to consider rolled curbing instead of Belgian block curb on the interior roads.

Joseph Nolan, township engineer, commented that most of the waivers are technical in nature and were requested because the current subdivision and land development ordinances do not address conditions under the Conservation Subdivision ordinance. He has no problem with the items requested.

James Garrity, township solicitor, prepared a draft resolution that will be revised based on these discussions.

Susan Caughlan remarked that under the Conditional Use decision all three parcels of open space are to be offered first to the township.

James Mollick commented on giving land to the township, if future dedication of land is part of the resolution, and when were plans submitted.

James Garrity explained the TDR (Transfer of Development Rights) and the ordinance's requirements regarding the ownership of open space.

Mark Landis, Schultz Road, commented on how much the roads would be narrowed and if the fire chief reviewed the plans, inquired about package plant for sewer and if this is part of the sewer rate study.

William Kazimer commented on fences in conservation areas and having it recorded in the deeds for these properties, he disagreed that narrower roads discourage speeding, and commented on the three member board.

Joseph Nolan commented that the narrowest street is 18 feet wide and it is a one way street and the other roads are 30 feet wide.

Gordon Todd, Bustard Road, commented that this is a preliminary approval, not final, and the Planning Commission has been working with the developer for years so fine tuning can take place at a later time.

Kim David, Berks Road, complimented the Township for moving ahead with this Conservation Subdivision project and the developer for being willing to work with the Township.

A motion by Susan Caughlan, seconded by Stephen Quigley, and approved by all to grant preliminary approval for The Preserve at Worcester, 39-lot subdivision with items of concern as noted in the board's discussion.

4. **ENGINEER'S REPORT**

a. **October Engineer's Report**

Mr. Nolan reported that his October report was included in the Board's materials. The only current project is the bridge at Kriebel Mill Road.

Arthur Bustard commented that the Wentz Church Road project is done and asked if the ventilator and HVAC projects are being completed at the Berwick WWTP.

5. **SOLICITOR'S REPORT**

a. **Executive Session Report – November 15, 2010**

Mr. Garrity reported that an executive session was held November 15, 2010 to discuss a personnel evaluation and Office of Open Records decision#08-63, regarding whether to appeal and file a motion for reconsideration of the decision.

Mr. Quigley commented on the need to stop wasting money and provide the requestor with the email.

Mark Landis, Schultz Road, inquired on the estimated cost to the residents to appeal. He requested that money be used for township needs, not legal expenses.

William Kazimer commented on the statement and asked what will be gained and inquired if the Board had an estimate of costs.

Steve Quigley said that \$10,000 has been spent on email for nothing. If we grant Dr. Mollick's wish, all correspondence is public.

James Garrity noted that the issue is attorney-client privileged, not emails between Board members.

James Mollick commented on rulings concerning disruptive Right to Know requests by the Office of Open Records. He stated his opinion Susan Caughlan relinquished Attorney Client Privilege and the Board is deceitful.

A motion by Susan Caughlan, and seconded by Mr. Bustard the motion passing with a two to one vote with Mr. Quigley opposing, to appeal and move for reconsideration of the decision.

Jeannie Steigerwalt, Grange Avenue, stated her appreciation of the State Police presentation and their work.

6. **OTHER BUSINESS**

None

7. **APPROVAL OF THE MINUTES OF OCTOBER 20, 2010**

James Mollick commented on the Zoning Hearing Board report, his remark about a previous vote not to appeal, a meeting with Terra Landscaping and Joseph Dunbar, and a driveway issue.

A motion by Stephen Quigley and seconded by Susan Caughlan and approved by all to dispense with the reading of, and approve as written the minutes of October 20, 2010. (Copies were available for review.)

8. **PUBLIC COMMENTS**

Tiffany Loomis, Land Use Officer, provided further detail on ZHB application 10-14, clarifying the lighting issue.

Rick DeLello commented on the discussion of speed limit signs at the Preserve. He asked for clarification on the application process for the Zoning Hearing Board and Planning Commission, and commented on the over simplification of the legal fees.

Mark Landis commented on the township not spending money on roads and speeds, but spending \$100,000 on legal issues.

Nicholas Imperial commented on legal procedures, a letter from Mr. Garrity with ten issues on neighbors' property, but only one addressed, and property measurements without boundary pins.

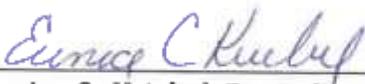
Lois Imperial, Fisher Road, commented on property surveys without pins, forced survey on neighbors and PECO's property.

James Mollick commented on a meeting with Lower Providence Township, taping of township meetings being done gavel to gavel, and the cost of a DVD.

ADJOURNMENT

There being no further business brought before this Board, Mr. Bustard adjourned the regularly scheduled meeting at 10:05 P.M.

Respectfully submitted:


 Eunice C. Kriebel, Recording Secretary